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Date: June 11, 2008

Attention: Examiner Young J. Kim

Re: Appl. No. 10/602,045; Filed: June 24, 2003

From: Daniel J. Nevriy *DJN*
Reg. No. 59,118

For: **Molecular Detection Systems**
Utilizing Reiterative Oligonucleotide
Synthesis
Inventor: Michelle M. Hanna

Pages (including cover sheet): 4

Fax No: (571) 273-0785

Our Reference: 2072.0010003/MAC/DJN

Message

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Art Unit 1637
Via Facsimile
Attn: Mail Stop Amendment

Re: U.S. Utility Patent Application
Application No. 10/602,045; Filed: June 24, 2003
For: **Molecular Detection Systems Utilizing
Reiterative Oligonucleotide Synthesis**
Inventor: Michelle M. Hanna
Our Ref: 2072.0010003/MAC/DJN

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Credit Card Payment Form (PTO-2038) in the amount of \$130.00 to cover the Terminal Disclaimer fee under 37 C.F.R. § 1.20(d);
2. Terminal Disclaimer to Obviate a Double Patenting Rejection Over a "Prior" Patent; and
3. Terminal Disclaimer to Obviate a Provisional Double Patenting Rejection Over a Pending "Reference" Application.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Daniel J. Nevriy
Agent for Applicant
Registration No. 59,118

MAC/DJN:dbj
Enclosures

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PAGE 2/5 * RCVD AT 6/11/2008 12:19:08 PM [Eastern Daylight Time] * SVR:USPTO-EFXXF-6/37 * DNIS:2730785 * CSID:202 371 2540 * DURATION (mm:ss):01:20

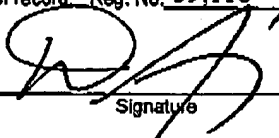
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<p>In re Application of: Michelle M. Hanna</p> <p>Application No.: 10/602,045</p> <p>Filed: June 24, 2003</p> <p>For: Molecular Detection Systems Utilizing Reiterative Oligonucleotide Synthesis</p>	
<p>The owner, <u>Ribomed Biotechnologies, Inc.</u>, of <u>100</u> percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. <u>7,226,738</u> as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.</p> <p>In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:</p> <ul style="list-style-type: none"> expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer. 	
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